

**January 28, 2019**

**SURFACE RIGHTS BOARD**

**IN THE MATTER OF THE PETROLEUM AND NATURAL GAS  
ACT, R.S.B.C., C. 361 AS AMENDED**

**AND IN THE MATTER OF**

**THE SOUTH ½ OF SECTION 15 TOWNSHIP 86 RANGE 19 WEST OF THE 6<sup>TH</sup>  
MERIDIAN PEACE RIVER DISTRICT, EXCEPT PARCEL A (72990M), PARCEL A  
(76134M), PARCEL B (C3312), PARCEL B (PLAN B 4830) AND PLAN 27341  
(The "Lands")**

**BETWEEN:**

**Roy Russell Hein and  
Elaine Frieda Hein**

**(APPLICANTS)**

**AND:**

**Predator Oil BC Ltd.**

**(RESPONDENT)**

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**BOARD ORDER**

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This is an application brought under sections 164 and 176 of the *Petroleum and Natural Gas Act*.

The Applicants, Roy Russell Hein and Elaine Frieda Hein, are the owners of the Lands described as: THE SOUTH ½ OF SECTION 15 TOWNSHIP 86 RANGE 19 WEST OF THE 6<sup>TH</sup> MERIDIAN PEACE RIVER DISTRICT, EXCEPT PARCEL A (72990M), PARCEL A (76134M), PARCEL B (C3312), PARCEL B (PLAN B 4830) AND PLAN 27341. The Respondent, Predator Oil BC Ltd., is the operator of a wellsite and access road located on the Lands. The Respondent's right of entry to the Lands for the purpose of operating the well and access road is pursuant to a surface lease dated January 11, 1994 (the Surface Lease).

Pursuant to the Surface Lease, Predator Oil BC Ltd., is required to make annual payments of \$4,000.00 to Roy Russell Hein and Elaine Frieda Hein. Predator Oil BC Ltd. failed to make the annual payment required by January 11, 2019.

The Board finds that Predator Oil BC Ltd. has failed to pay rent owing under a surface lease. Pursuant to section 176 of the *Petroleum and Natural Gas Act*, the Board determines that Predator Oil BC Ltd. owes Roy Russell Hein and Elaine Frieda Hein \$4,000.00 in unpaid rent plus interest from January 11, 2019. The Applicants are entitled to costs of this application.

The Board orders as follows:

1. Predator Oil BC Ltd. shall forthwith pay to Roy Russell Hein and Elaine Frieda Hein the sum of \$4,000.00 plus interest calculated in accordance with the *Court Order Interest Act* from January 11, 2019.

DATED: January 28, 2019

FOR THE BOARD



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Cheryl Vickers, Chair